

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - July 14, 1971

Appeal No. 10835 David W. Miller, et ux, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Howard H. Mackey dissenting, the following Order of the Board was entered at the meeting of July 20, 1971.

ORDERED:

That the appeal for variance from the open court requirements of R-4 District to permit third story addition to dwelling at 320 5th Street, S. E., lot 44, Square 844, be GRANTED.

FINDINGS OF FACT:

1. The subject property is located in a R-4 District.
2. The property is improved with a two-story row single family dwelling.
3. The appellant request a variance from the open court requirements of the R-4 District to permit third story addition to dwelling (see Board of Zoning Adjustment exhibit No. 3).
4. No opposition was registered at the public hearing as to the granting of this appeal.

OPINION:

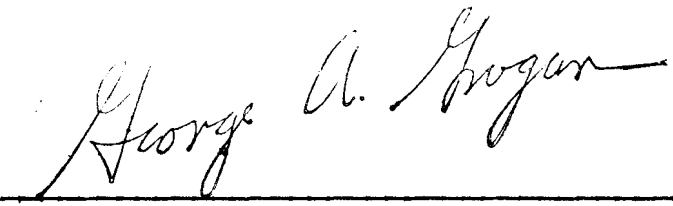
We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Appeal No. 10835  
August 9, 1971  
Page 2

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

BY:   
\_\_\_\_\_  
GEORGE A. GROGAN  
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.